

REMARKS

Claims 9, 10 and 13 are pending in the application. Claims 1-8, 11, 12 and 14-18 are withdrawn.

Declaration

Applicants wish to submit that a new oath or declaration is enclosed herewith as requested by the Examiner.

Claim rejections - 35 USC § 102

Claims 9, 10 and 13 have been rejected under 35 USC § 102(b) as being anticipated by Bourel *et al.* The Examiner states that Bourel *et al.* disclose purified autoantibodies isolated from IVIg, wherein said autoantibodies bind soluble human serum proteins such as IgG. Further, the Examiner alleges that Bourel *et al.* disclose a composition of said antibodies and a pharmaceutically acceptable carrier. In order to overcome this rejection, Applicants first point out that claim 9 has been amended to be directed to autoantibodies isolated from therapeutic intravenous immunoglobulin preparations (IVIg), comprising substantially purified autoantibodies capable of forming autoimmune complexes in human serum with serum proteins other than IgG. Support for this amendment can be found, for example, on page 3 of the description and in original claim 3. In contrast, Bourel *et al.* disclose purified autoantibodies isolated from IVIg, wherein said autoantibodies bind soluble human serum proteins such as IgG. Furthermore, Bourel *et al.* do not teach the use of serum proteins other than IgG as a purification ligand of autoantibodies from IVIg. Bourel *et al.* teach the purification of autoantibodies using very specific ligands, which are different from the ones used in the present application. The ligands used by Bourel *et al.* have been selected to elucidate further the hypothesis raised by the researchers as to the mechanism of action of IVIg in autoimmune and inflammatory diseases. In contrast, Applicants of the present application have raised the hypothesis that the use of a heterogeneous mixture of serum proteins (without IgG) allows the purification of the active component of the IVIg for these diseases (see paragraph [0030] and [0031] of the present

Application No. 10/643,743
Amendment dated April 13, 2007
Response to Office Action dated October 16, 2006

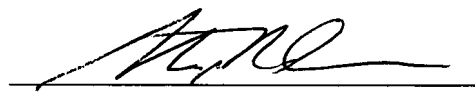
description). Accordingly, the autoantibodies claimed herein are qualitatively different from those disclosed in Bourel *et al.*

Thus, the present claims recite the purification of autoantibodies which are capable of forming immune complexes with serum proteins other than the IgG, whereas Bourel *et al.* disclose purified autoantibodies isolated from IVIg wherein said autoantibodies bind IgG. Accordingly, it is believed that claims 9, 10 and 13 of the present application are not anticipated by Bourel *et al.* Reconsideration and withdrawal of the Examiner's rejection are earnestly solicited.

In view of the foregoing, Applicants respectfully submit that the claims are in condition for allowance. Early and favourable action is requested.

Respectfully Submitted,

Date: April 13, 2007



David S. Resnick (Reg. No. 34,235)
Stephen R. Duly (Reg. No. 58,183)
Nixon Peabody LLP
100 Summer Street
Boston, MA 0 2110
6147-345-6057

Enc.: - Oath
-Petition for extension of time